



2-11-04

PTO/SB/29 (10-00)

RCE  
3673

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of an utility or plant application filed on or after June 8, 1995  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/868,122
Filing Date	September 24, 2001
First Named Inventor	Pieter Adriaan Oosterling
Group Art Unit	3643
Examiner Name	Son T. Nguyen
Attorney Docket Number	03330-P0010A

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); interim Rule 65 Red. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103© for a period of \_\_\_\_\_ months. (Period of suspension shall be exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayment to Deposit Account No. 19-4516.

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 02/12/2004 DTESSEM1 00000145 09868122

iii. ☐ Other Any Fee Deficiency 01 FC:2801 385.00 OP

b. ☒ Check in the amount of \$394.00 is enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	Richard J. Basile	Registration No (Attorney/Agent)	40,501
Signature		Date	February 10, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE; Washington, DC, 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: February 10, 2004.

Name (Print / Type)	Charlotte E. Hanulik	
Signature		Date February 10, 2004

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PATENT  
03330-P0010A RJB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	Pieter Adriaan Oosterling, <i>et al.</i>
Serial No. 09/868,122	Filing Date: September 24, 2001
Title of Application:	Device and Method for Milking Animals
Confirmation No. 5702	Art Unit: 3643
Examiner	Son T. Nguyen

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

**Response to Official Action**

In response to the Official Action of August 12, 2003, Applicants herewith present remarks.

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